## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

LEE HAROLD GOGGINS, JR.,

:

Plaintiff, :

:

v. :

DISTRICT ATTORNEY SHERRY : CIVIL ACTION NO. BOSTON. : 1:18-cv-2154-AT-LTW

Defendant. :

## **ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation [Doc. 4] that Plaintiff's pro se prisoner civil rights action be dismissed pursuant to 28 U.S.C. § 1915A. The Magistrate Judge concluded that Plaintiff's claims are subject to dismissal because Defendant Boston has prosecutorial immunity, Plaintiff's malicious prosecution claim is not ripe, and Plaintiff cannot challenge the conditions of his confinement under 42 U.S.C. § 1983.

No objections have been filed in response to the Magistrate Judge's Report and Recommendation. Service copies of the Magistrate Judge's Report and Recommendation mailed to Plaintiff have been returned to the Clerk's office as undeliverable. It appears that Plaintiff has been released from custody and he

has failed to keep the Court apprised of his most current address as required by NDGa Local Rule 41.2(B).

In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court has reviewed the Magistrate Judge's Recommendation for clear error and finds none. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. For the reasons stated in Magistrate Judge's Report and Recommendation, Plaintiff's Complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915A.

**IT IS SO ORDERED** this 10th day of July, 2018.

Amy Totenberg

**United States District Judge**